

REMARKS

The following remarks are submitted in response to the Office Action mailed March 15, 2004. Claims 1-13, 15-56, 58-113, 115-147, 149, and 150 are pending in the patent application. Claims 3, 47-51, 60, 108-112, and 116 are withdrawn. Claims 14, 57, 114, and 148 have been cancelled. Claims 1, 23, 52-56, 58, 59, 61-107, 113, 115, 117-124, 128, 143-147, 149, and 150 have been amended. Support for the amendments to the claims is found in the specification and drawings as originally filed, for example, at page 56, lines 2-8; page 76, lines 1-8; page 77, lines 14-19; page 79, lines 10-12; and figures 23A and 23B. No new matter has been added. Reconsideration, reexamination and allowance of the pending claims is respectfully requested.

Drawings

Applicants thank the Examiner for acknowledging her approval of the amended drawings.

Specification

Amendments have been made to the specification to correct minor irregularities. No new matter has been included.

The 35 U.S.C. § 102 Claim Rejections

In paragraph 3 of the Office Action, the Examiner rejects claims 1, 2, 4, 16-18, 20, 23-25, 31, 39, 43, 47, 48, 50, 52, 55, 56, 59, 61, 71, 75-78, 82, 83, 86, 92, 100 and 104 under 35 U.S.C. §102(b) as being anticipated by Adams (U.S. Patent No. 5,601,607). Applicants respectfully traverse this rejection.

Applicants thank the Examiner for her suggestion to amend the claims to recite that the exterior surface of the distal housing section is contiguous with the exterior surface of the proximal housing section. Applicants have amended independent claim 1 to recite the housing having a distal section and a proximal section, and a top exterior surface, wherein the top exterior surface along the distal section is contiguous with the top exterior surface along the proximal section. Furthermore, Independent claim 52 has been amended to recite that the main housing

section has an exterior surface, and that the distal housing section has an exterior surface that is contiguous with the exterior surface of the main housing section.

The exterior surface of the device of Adams includes the exposed metal of the electrode (76) and an insulating layer (74). Adams thus fails to teach a housing with a continuous exterior surface. The Examiner has interpreted the insulating layer of the Adams device as serving as the exterior surface. The device of Adams thus has as the exterior surface, part insulating material and part metal electrode, which cannot be seen to be a housing with a continuous exterior surface, as is now claimed.

It is believed that independent claims 1 and 52, and the claims depending therefrom, are now in condition for allowance. Withdrawal of the rejection is respectfully requested.

The 35 U.S.C. § 103 Claim Rejections

In paragraph 5-17 of the Office Action, the Examiner rejects claims 5-13, 15, 19, 21, 22, 26-30, 32-38, 40-42, 44-46, 53, 54, 58, 62-70, 72-74, 79-81, 84, 85, 87-91, 93-99, 101-103, and 105-107 as obvious over Adams alone or in combination with various references. Applicants respectfully traverse these rejections. For the reasons stated above, Adams fails to teach the basic elements of the independent claims. None of the cited references provide what Adams lacks. Thus, none of the combinations of references can be seen to render the claims obvious.

In paragraphs 18-22 of the Office Action, the Examiner rejects independent claim 113 and its dependent claims under U.S.C. §103(a) as being unpatentable over Adams in view of various references. Claim 113 has been amended to recite an electrode located on a unitary housing with a tapered exterior surface. Applicants thank the Examiner for her suggestion to amend the claims to recite a tapered exterior surface. As stated above, neither Adams nor the additional references teaches or provides guidance or motivation for modifying Adams to include an electrode located on a tapered unitary housing.

Additionally, the device of Adams has a sharp, right-angle transition between the width at the proximal section and the width at the distal section, as shown in Figures 7 and 8. Neither Adams nor the additional references provides the suggestion or motivation to modify the device of Adams to include a tapered unitary exterior surface with an electrode located on the exterior

surface. It is believed that independent claim 113, and the claims depending therefrom, are now in condition for allowance. Withdrawal of the rejections is respectfully requested.

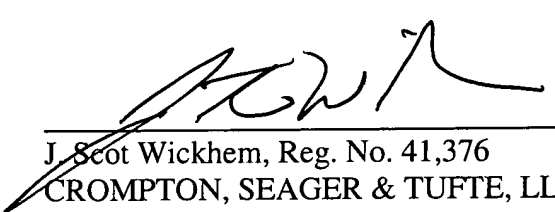
Reexamination and reconsideration are respectfully requested. It is respectfully submitted that all pending claims are now in condition for allowance. Issuance of a Notice of Allowance in due course is requested. If a telephone conference might be of assistance, please contact the undersigned attorney at (612) 677-9050.

Respectfully submitted,

Gust H. Bardy et al.

By their Attorney,

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J. Scot Wickhem, Reg. No. 41,376
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, MN 55403-2420
Telephone: (612) 677-9050
Facsimile: (612) 359-9349